



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: May 11, 2022

FROM: Kristina Serezhenkov, OLE

RE: #6034 49th State Brewing @ The Rail

**Statutory &
Regulation
Authority:**

AS 04.11.480(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

AS 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

3 AAC 304.145(h) "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

Background: This new Restaurant/Eating Place license application was deemed complete March 31, 2022. On May 11, 2022 the Municipality of Anchorage protested the new application pending approval by the Assembly of a special land use permit.

Staff Recommendation: Consider the Municipality of Anchorage protest and determine if the protest is arbitrary, capricious and unreasonable. If the protest is deemed not to be arbitrary, capricious and unreasonable then deny the application with a 180-day abeyance.

Attachment:

Municipality of Anchorage Protest

AB-00

AB-02

AB-03



Municipality of Anchorage

P.O. Box 196650 Anchorage, Alaska 99519-6650 Telephone: (907) 343-4316 Fax: (907) 249-7533 www.muni.org/clerklicensing

Office of the Municipal Clerk Licensing

May 11, 2022

Ms. Carrie Craig
Alaska Alcohol and Marijuana Control Office
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Craig:

The Anchorage Municipal Assembly at its regular meeting on **May 10, 2022**, took the following actions:

WAIVE OF PROTEST

New Liquor License

- **Restaurant/Eating Place**
Sadie Romo's Restaurant, LL#6025 – AM 242-2022
Tatlioni Restaurant, LL#5986 – AM 245-2022

Transfer Liquor License

- **Beverage Dispensary**
Bernie's Bungalow Lounge, LL#3781 – AM 277-2022
- **Beverage Dispensary-Duplicate**
Bernie's Bungalow Lounge, LL#5732 – AM 273-2022
Bernie's Bungalow Lounge, LL#4425 – AM 274-2022
Bernie's Bungalow Lounge, LL#5731 – AM 276-2022

Renewal Liquor License – AM 275-2022

- **Beverage Dispensary**
Panhandle Bar, LL#825;
Lil' Babes Bar & Grill, LL#1811;
Los Arcos Restaurant, LL#3953;
El Dorado, LL#135;
Sullivan's Steakhouse, LL#3412;
- **Restaurant/Eating Place**
Varsity Sports Grill, LL#5327;
- **Recreational Site**
Alaska Airlines Center, LL#5328;
- **Club**
V.F.W. Post #9978 LL#1203

PROTEST

New Liquor License

- **Package Store**
49th State Spirits & Gifts @ The Rail, LL#6035 – AR 2022-149
Pending approval by the Assembly of a special land use permit.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.
- **Restaurant/Eating Place**
49th State Brewing @ The Rail, LL#6034 – AR 2022-152
Pending approval by the Assembly of a special land use permit.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.

Transfer Liquor License

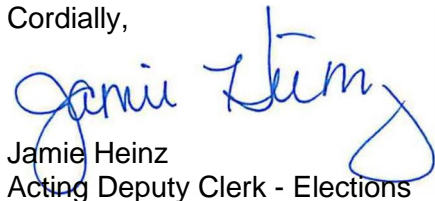
- **Beverage Dispensary**
Yes International Bistro, LL#1090 – AR 2022-153
Pending approval by the Assembly of a special land use permit.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.

Renewal Liquor License

- **Restaurant/Eating Place**
I Luv Sushi, LL#5705 – AR 2022-150
Pending certification from the Building Safety Official.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.
- **Beverage Dispensary**
Burrito King, LL#4109 – AR 2022-154
Pending certification from Land Use Enforcement.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.
- **Beverage Dispensary-Tourism**
Sushi on the Fly, LL#5455 – AR 2022-151
Pending payment in full of taxes owed to the Municipality.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 10, 2022 Assembly Meeting.

If you require additional information or if I can be of any assistance, please contact me.

Cordially,



Jamie Heinz
Acting Deputy Clerk - Elections

CC: Ryan Yelle, Current Planning
Above listed licensees.



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Northern Hospitality Group, Inc		
License Type:	Restaurant or Eating Place License	Statutory Reference:	04.11.100
Doing Business As:	49th State Brewing@ The Rail		
Premises Address:	721 Depot Drive Suite #50		
City:	Anchorage	State:	Ak ZIP: 99501
Local Governing Body:	Municipality of Anchorage		
Community Council:	Downtown Community Council		

Mailing Address:	645 W 3rd Ave		
City:	Anchorage	State:	Ak ZIP: 99501

Designated Licensee:	Jason Motyka		
Contact Phone:	907-229-5151	Business Phone:	907-929-2337
Contact Email:	jmotyka@nhgalaska.com		

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

OFFICE USE ONLY			
Complete Date:	3-31-22	License Years:	License #: 12034
Board Meeting Date:	4-12-22	Transaction #:	100348605
Issue Date:		BRE:	KRS



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

Denali Montessori Elementary School 1.1 Mile

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

The Holy Mass Cathedral 1553 Feet

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	David McCarthy				
Title(s):	President	Phone:	907-599-0052	% Owned:	70
Address:	645 W 3rd Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501

Entity Official:	Jason Motyka				
Title(s):	Vice President Secretary	Phone:	907-229-5151	% Owned:	30
Address:	645 W 3rd Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



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 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10033804	AK Formed Date:	12/02/2015	Home State:	Alaska
Registered Agent:	Jason Motyka		Agent's Phone:	907-229-5151	
Agent's Mailing Address:	645 W 3rd Ave				
City:	Anchorage	State:	Alaska	ZIP:	99755

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

Section 5 - Other Licenses

Ownership and financial interest in other alcoholic beverage businesses: Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s): *Jason Motyka and David McCarthy - see Attached Addendum*
 4946,671,3370,4938,5297,4058,4059,5554,5555,5556,5557,5558,5744,5745,5648
 49th State Brewing Company - 4946/671, 49th State Brewing 5744/5745

Prospectors Historic Pizzeria + Alehouse - 4938, McKinley Douglas Salmon Bake and Cabins 3370
Section 6 - Authorization

The Overlook S247, 49th State Brewery, 4058, 4059, 5554, 5555, 5556, 5557, 5558, 5648
 Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Daniel J McCarthy, Legal Counsel

AMCO Received 3/11/2022

AMCO Received 3/25/2022

*See Attached page **

Addendum Page Section 5

dba's

5744 Brewery - 49th State Brewing Alaska Pacific Beverage Company LLC
 5745 Winery - 49th State Brewing Jason Motyka- 5% Gary Klopfer 85%, David McCarthy 10%

Master
 4946 Brewpub Denali Visions 3000 Corporation
 49th State Brewing Company
 3370 BDL-Tourism Seasonal Jason Motyka 50% and David McCarthy 50%
 Denali Park Salmon Bake
 671 BDL
 49th State Brewing Company

4938 REPL- Seasonal Denali Hospitality Group Inc.
 Prospectors Pizza Jason Motyka 50% and David McCarthy 50%

5297 BDL - Seasonal Latitude 63 North Inc.
 Denali Crows nest cabins
 The Overlook Restaurant Jason Motyka 50% and David McCarthy 50%

4058 BDL Northern Hospitality Group Inc.
 49th State Brewery
 4059 Brewpub Jason Motyka 50% and David McCarthy 50%
 " " "
 5554 BDL-Dup " "
 " " "
 5555 BDL-Dup- Pending Construction " "
 " " "
 5556 BDL-Dup- Pending Construction " "
 " " "
 5557 BDL-Dup " "
 " " "
 5558 BDL-Dup " "
 " " "
 5648 Package Store
 49th State Spirits and Gifts



Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.



I certify that all proposed licensees have been listed with the Division of Corporations.



I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.



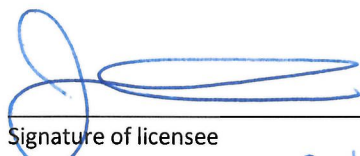
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.



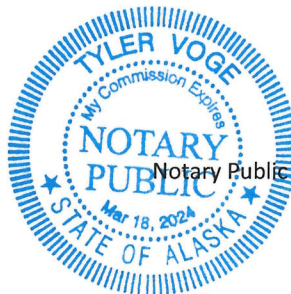
I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.



As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.


Signature of licensee

Jason Motyka
Printed name of licensee




Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 3/18/2024

Subscribed and sworn to before me this 10th day of February, 20 22.



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550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.



Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Northern Hospitality Group Inc	License Number:	New		
License Type:	Restaurant or Eating Place License				
Doing Business As:	49th State Brewing @ The Rail				
Premises Address:	721 Depot Drive Suite #50				
City:	Anchorage	State:	AK	ZIP:	99501



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

See Attached

① Ladies Rm

② Mens Rm

③ Beer storage / Wine storage

④ Kitchen

⑤ Service Area

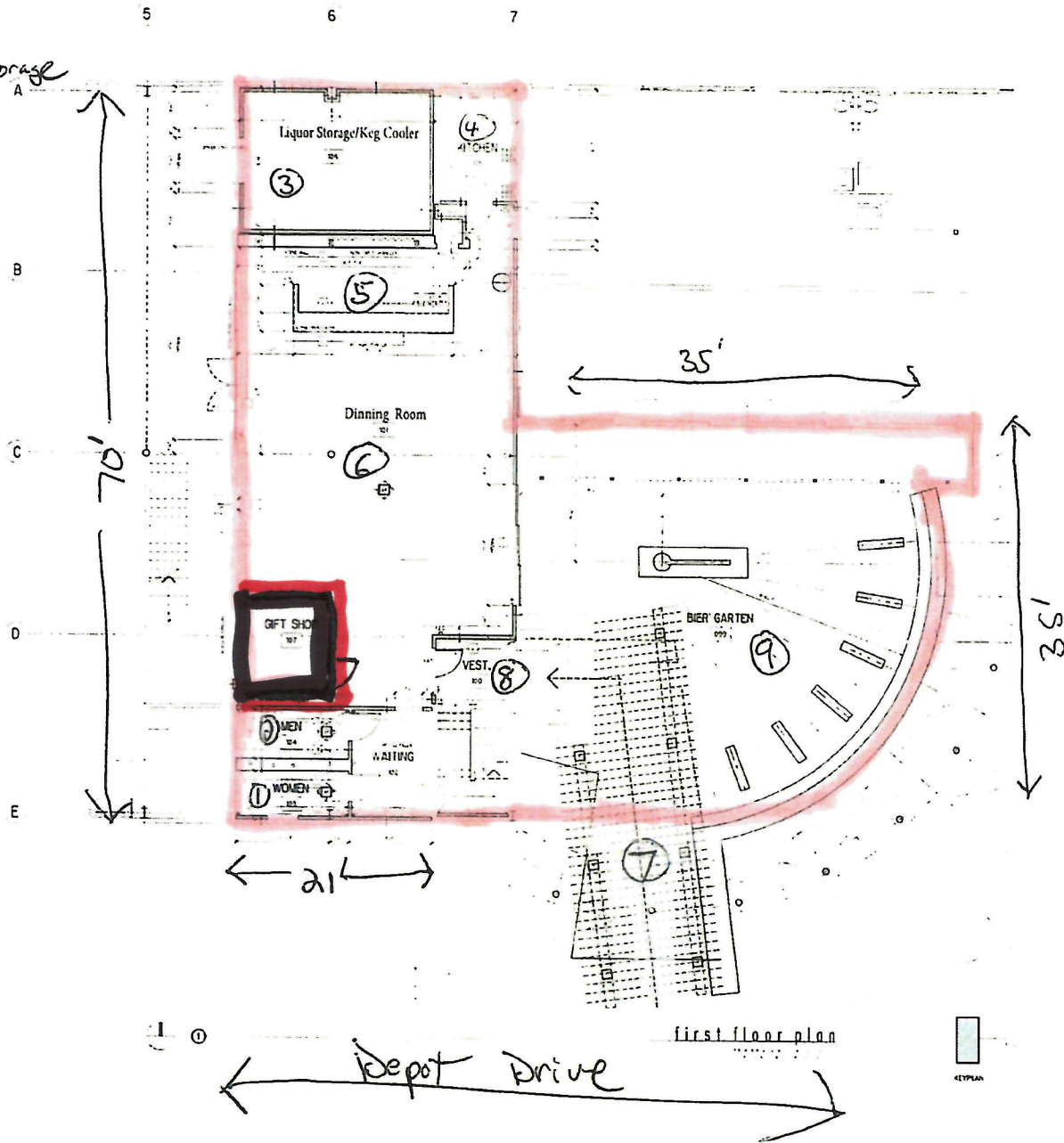
⑥ Seating Area / Dining

⑦ Main Entrance

⑧ Restaurant entrance

⑨ Outdoor Seating

49m State Brewing @ The Rail
721 Depot Drive suite #50



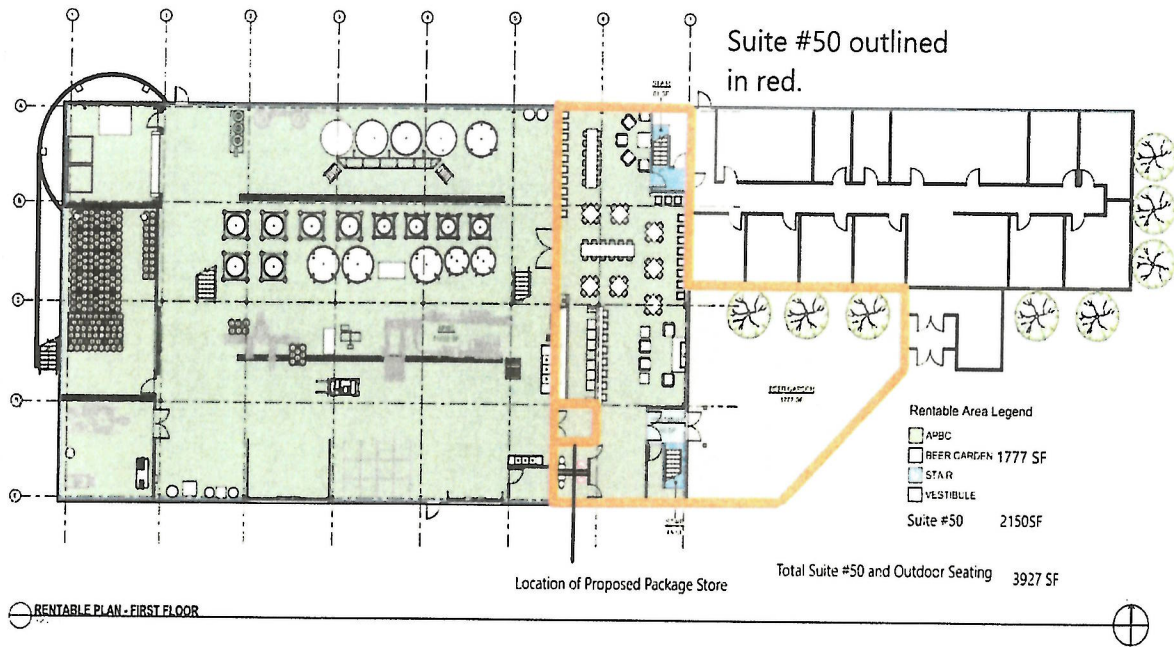
AMCO Received 3/11/2022

FEB 11 2022

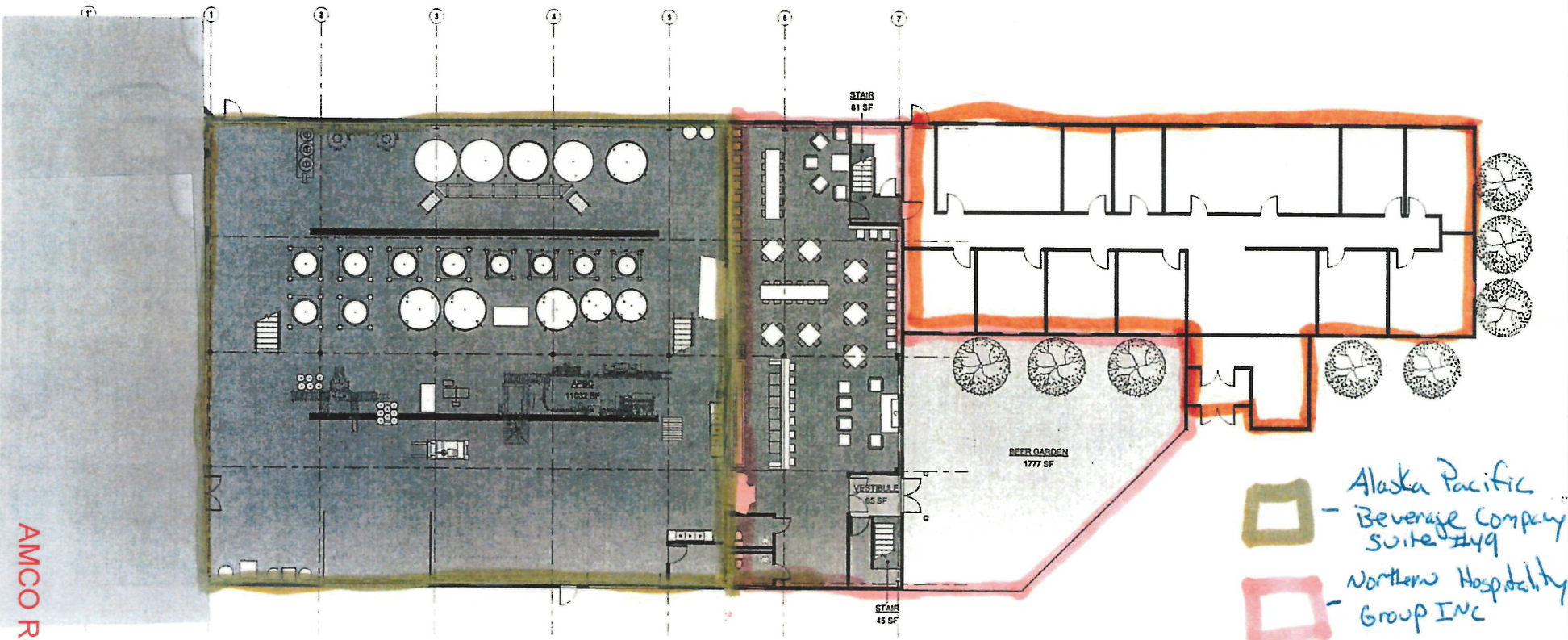
AMCO

EXHIBIT A

PREMISES



RIM 49TH BREWING FACILITY
RENTABLE AREAS



- - Alaska Pacific Beverage Company Suite #49
- - Northern Hospitality Group Inc Suite #50
- - The Board Room Suite #100



2018.11.27

← Depot Drive →

RENTABLE PLAN - FIRST FLOOR
1/8" = 1'-0"

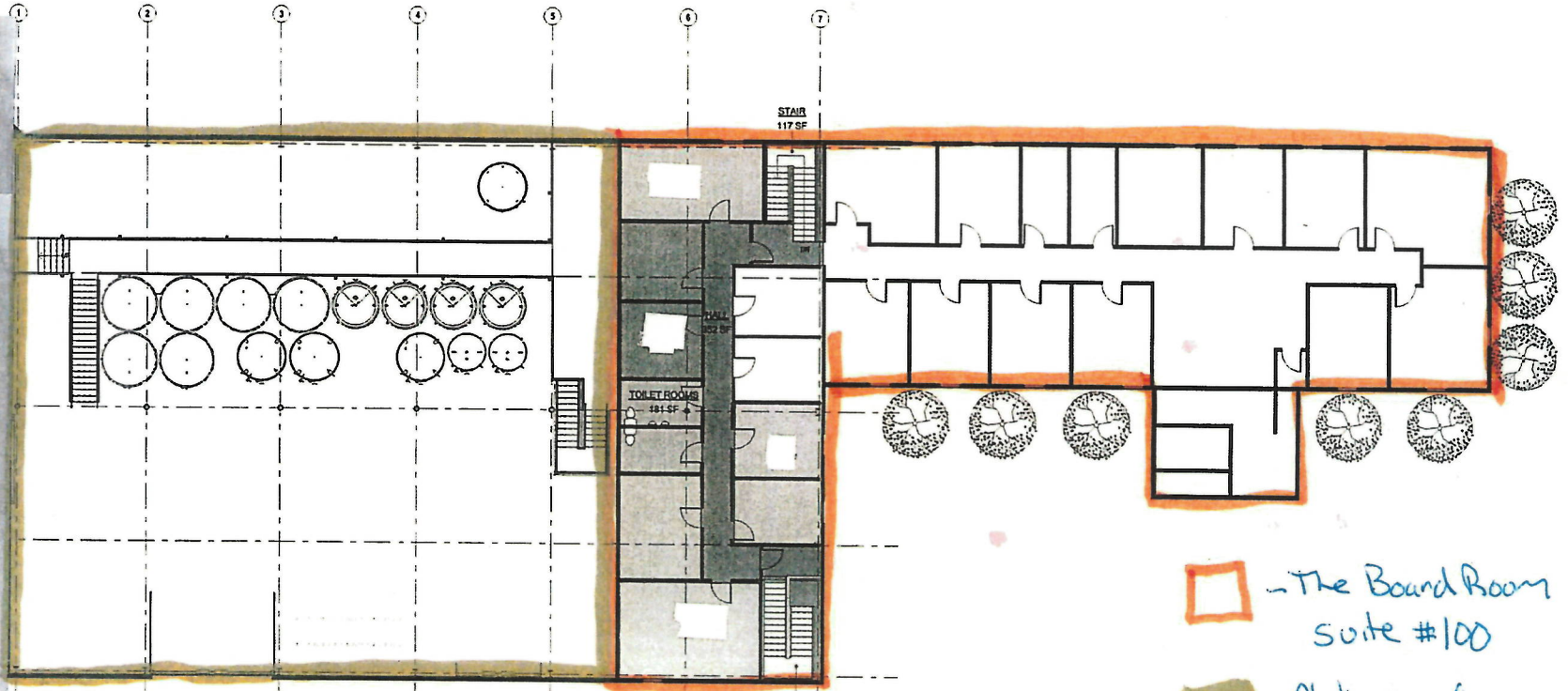
R1M

AMCO Received 3/11/2022

AMCO Received 3/11/2022

RENTABLE PLAN - SECOND FLOOR
1/12
1/8" = 1/4"

RIM



- The Board Room Suite #100
- Alaska Pacific Beverage Company Suite #50

← Depot Drive →

**NORTHERN HOSPITALITYGROUP, INC
DBA:49TH State Brewing @ The Rail
Outdoor/Indoor Serving Security Plan**

1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.
2. All new patrons are carded upon ordering alcohol.
3. All staff is trained in the identification of fake IDs.
4. 4.5 foot rock gabion wall is around the outdoor servicing area.
5. Underaged persons will be monitored closely by our professionally trained alcohol servers.
6. Proper egress from the outdoor service area will always remain unobstructed.
7. ABC mandated posters as required by law are posted inside 49TH State Brewing @ The Rail and at entrances of the outdoor seating area.
8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.
9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol WILL continue to be a part of our training for our staff.
10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
14. Servers will be present in the outdoor area to monitor consumption.



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A **menu** or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	Northern Hospitality Group Inc				
License Type:	Restaurant or Eating Place License	License Number:	New		
Doing Business As:	49th State Brewing @ The Rail				
Premises Address:	721 Depot Drive Suite #50				
City:	Anchorage	State:	AK	ZIP:	99501
Contact Name:	Jason Motyka	Contact Phone:	907-229-5151		

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- Dining after standard closing hours: AS 04.16.010(c)
- Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- Employment for persons 16 or 17 years of age: AS 04.16.049(c)

NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	Initials: 100348605

AMCO
 FEB 11 2022



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

As most restaurants that are a licensed premise the Minor will access the restaurant through the front Gate and then the front entrance of the building. The minor at no times will have direct access to Alcohol. *Minors will only have Access To the Seating Area and the Bathrooms. Employees will only have access to the Kitchen in addition.*

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

All of our staff and managers will be licensed with current TAP or TIP cards as required by law. In addition there is an onsite Manager during ALL hours of operations to ensure that no Minors ever have access to Alcohol. In addition to these actions the facility will also be equipped with video cameras that can be monitored by staff and managers that are on and off site. All Alcohol, is stored in a secure location with no public access.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office: *in process* Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval. *Call 224-5151 to discuss*

[Handwritten signature]

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

7 Days a Week 10am-11pm

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

[Empty text box for describing entertainment]

Food and beverage service offered or anticipated is:

table service buffet service counter service other

If "other", describe the manner of food and beverage service offered or anticipated:

[Empty text box for describing other food and beverage service]



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.



I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.



I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.



I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.
(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

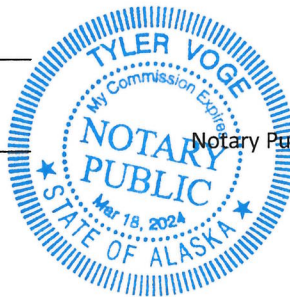


I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

Jason Motyka

Printed name of licensee



Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 3/18/2024

Subscribed and sworn to before me this 11th day of February, 2022.

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied



Signature of local government official

Date

Printed name of local government official

Title



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Enforcement Recommendation:

Approve

Deny

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

AMCO Director Review:

Approved

Denied

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

STARTERS

HOUSE MADE CHICKEN TENDERS Southern-style hand-breaded crispy chicken tenders with honey mustard sauce. | XX.XX

CRISPY CAULIFLOWER Cauliflower dusted in chickpea flour and fried, then, tossed in 49er hot sauce and served with vegan blue cheese sauce. | XX.XX

NACHOS Crispy tortilla chips, black olives, melted cheddar and Monterey jack cheeses, pico de gallo, radish, red Fresno chilies, cilantro, 49er beer cheese sauce, freshly diced avocado and lemon sour cream. | XX.XX ADD CHICKEN | .XX.XX

Bavarian Handmade PRETZEL

This labor of love, handmade pretzel served with our 49er beer cheese sauce. It's our brewer's favorite! | XX.XX



SALADS

GRILLED CHICKEN CAESAR Grilled salmon atop crispy romaine tossed in house-made creamy Caesar dressing and topped with freshly grated Parmesan and garlic herb croutons. | XX.XX sub chicken | XX.XX

BAJA STEAK SALAD Fillet steak skewer, radish, avocado, cabbage and shredded romaine, roasted corn, red onion, red bell pepper, salsa fresca, Monterey jack and cheddar cheeses and cilantro lime vinaigrette. | XX.XX

CHICKEN COBB A hearty classic. Mixed greens, tender grilled chicken, avocado, diced tomatoes, sliced egg, scallions, crispy bacon, and blue cheese crumbles. Served with house-made red wine vinaigrette. | XX.XX

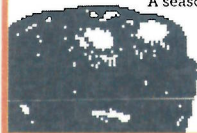


- BREWING -

@ THE RAIL



World Famous ELK SMASH BURGER



A seasoned half-pound elk burger with caramelized onions, chipotle aioli, white American cheese, lettuce and tomato on a pretzel bun. Served with brewpub fries. | XX.XX

SIDES

COLOSSAL ONION RINGS | XX.XX
SIDE CAESAR | XX.XX
BREW PUB FRIES | XX.XX

PUB FAVORITES

Burgers - Served with brewpub fries

SLEEPING LADY Hand pattied Moffitt Farms Alaskan beef, cheddar cheese, lettuce, tomato, onions, pickles, mayo and mustard. | XX.XX

MT. MAGNIFICENT Applewood smoked peppered bacon, aged smoked cheddar cheese, smashed potatoes, crispy onions, and our Blonde Eagle Ale BBQ sauce. | XX.XX

Where's the Beef? **VEGAN BURGER** An Impossible Burger™ patty, vegan special sauce, vegan cheddar, lettuce, onion and pickle on a pub bun. Served with a side salad. | XX.XX

KING CRABBY GRILLED CHEESE Grilled sourdough bread, crab meat blend, and Swiss and cream cheeses. Served with brewpub fries. | XX.XX

CARNITAS TORTA SANDWICH Sweet, soft sandwich bun, toasted perfectly. Built as a traditional tostada with slow-cooked refried beans, tender and flavorful pork carnitas topped with Cotija cheese, fresh shredded lettuce, sliced tomato, and crushed avocado. Served with our warm tortilla chips and pico de gallo. | XX.XX

BULGOGI BOWL Tangy Bulgogi beef with blistered green onions, radish, red cabbage, Alaska-made Kimchi, and our sweet turmeric coconut rice. Topped with sesame seeds and crispy wonton curls. | XX.XX

PIT-SMOKED TURKEY CLUB Slow smoked, shaved turkey breast, applewood-smoked peppered bacon, creamy havarti cheese, stone-ground mustard aioli, lettuce and tomato on toasted ciabatta. Served with brewpub fries. | XX.XX

MAINS

49TH STATE'S FAMOUS HALIBUT AND CHIPS Kachemak Alaskan halibut in our light and crispy beer batter, seasoned brewpub fries, creamy coleslaw, house made tartar sauce and malt vinegar. | XX.XX

BAKED MAC-N-CHEESE An American classic. Macaroni noodles, creamy Alfredo and aged cheddar cheese sauce, topped with Parmesan breadcrumbs and baked in an iron skillet. | 14.99
Meat Lovers Grilled Steak and Crispy Bacon 17.99

FAMOUS CRAB CAKES Two Alaska-sized crab cakes served fresh with freshly sliced avocado and pico de gallo on a bed of arugula with lemon herb mayo and crispy brewpub fries. | XX.XX

FREE RANGE BUFFALO MEATLOAF Meatloaf wrapped in peppered Applewood bacon with our Smak Lager and mushroom demi-glace and topped with onion strings. Served with garlic smashed potatoes. | XX.XX



VEGETARIAN VEGAN PUB FAVORITE GLUTEN SENSITIVE MADE WITH SUSTAINABLE ALASKAN FOODS * BASED ON AVAILABILITY

ANCHORAGE BREWPUB 717 WEST 3RD AVENUE 49TH STATE @ THE RAIL 721 DEPOT DRIVE DENALI BREWPUB MILE 248 PARKS HWY

AMCO

FEB 11 2022

BEVERAGES

SOFT DRINKS, ICED TEA, JUICES Coke, Diet Coke, Coke Zero, Sprite, Cherry Coke, Dr. Pepper, orange soda, unsweetened or raspberry tea, orange/grapefruit/cranberry/pineapple juice. | 2.99

SAN PELLEGRINO | 3.49

HOT TEA, COFFEE, COCOA | 2.99

HOUSE-MADE LEMONADE | 3.99

With fresh strawberries and thyme. | 4.49

With fresh muddled raspberries or blueberries. | 4.49

With fresh muddled blueberries. | 4.49

AK PALMER House-made lemo and tea. | 3.99

49TH STATE ROOT BEER

Pint | 3.99

BLUEBERRY CREAM SODA

Pint | 3.99

Make it an ice cream float |



KIDS MENU

CHICKEN TENDERS A handbreaded chicken tender with brewpub fries. | XX.XX

49TH STATE'S MAC N CHEESE BOWL Our famous mac and cheese finished in a bowl topped with cheddar goldfish crackers. | XX.XX

KID'S BURGER A tasty burger with choice of cheese, served with brewpub fries. | XX.XX

DESSERTS

BLUEBERRY PIE Freshly baked blueberry pie with a delicious flakey crust. Served warm with vanilla ice cream. | 8.99

49TH STATE SODA FLOATS | 6.99

VANILLA OR CHOCOLATE ICE CREAM | 4.99



GET THE MOBILEBYTES APP

DOWNLOAD @ GOOGLE PLAY AND/OR @ APPLE APP STORE



STONE FIRED FLATBREADS

OUR FLATBREAD DOUGH GOES THROUGH 48 TO 72-HOUR FERMENTATION FOR EASIER DIGESTIBILITY. THE INCREASED COMPLEX FLAVOR PROFILE ALSO HAS LESS GLUTEN WHILE GMO-FREE GRAINS REPLACE HEAVY FATS. NO SUGAR ADDED.

TEKLANIKA House red sauce, double pepperoni, mozzarella, and Parmesan. | 15.99

NENANA Ranch, grilled chicken, applewood smoked bacon, mozzarella, and provolone. | 16.49

SAVAGE RIVER Blonde Eagle BBQ sauce, Moffitt Farms pulled pork, grilled pineapple, mozzarella, provolone, and crispy onions. | 16.49

Vegan Rapids
FLATBREAD

Vegan ranch, toasted chick peas, red onion, vegan mozzarella, parsley. | 15.99



BREAKFAST

BREAKFAST SCRAMBLE BOWL choice of 4 ingredients served on breakfast potatoes: ham, tomato, spinach, onions, mushrooms, red peppers, sausage, cheddar, white American, vegan mozzarella | XX.XX

TOFU SCRAMBLE BOWL choice of 4 ingredients served on breakfast potatoes: tofu, tomato, spinach, onions, mushrooms, red peppers, sausage, cheddar, white American, vegan mozzarella | XX.XX

CHICKEN AND WAFFLES Crispy, hand battered chicken tenders on waffles with bacon infused butter and birch breakfast syrup. | XX.XX

BREAKFAST BURRITO Bacon, eggs, cheddar cheese, and salsa fresca served with breakfast potatoes. XX.XX

PACKED FOR POWER Steel cut outs, brown sugar, dried fruit, almonds and milk. | XX.XX



We are a proud partner of the Alaska Grown Restaurant Recognition Program.

Prices and items subject to change. Normal kitchen operations involve shared cooking and preparation areas. We cannot guarantee that any menu item is free from any allergen. Consuming raw or undercooked meats, poultry, seafood or eggs may cause illness. 18% gratuity added for dine-in parties of six or more. A 1.5% service charge is applied to all items.

WE CAN

12OZ CAN 6PKS NOW AVAILABLE

PROUDLY CRAFTED IN ALASKA | 49STATEBEER.COM | 49THSTATE

AMCO

FEB 11 2022